

Attorney Docket No. 0524-0139.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

) "Express Mail" Mailing Label No. EV 322849295

Osamu NOZAWA et al

) Date of Deposit April 9, 2004

Serial No.: Not Assigned

) I hereby certify that this correspondence is being
deposited with the United States Postal Service
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P.O. Box 1450, Alexandria, VA 22313-1450

Filed: Herewith

) Name: Yue X. Luon
(typed or printed)

Art Unit:

Signature Yue X. Luon

For: MANUFACTURING METHOD AND
APPARATUS OF PHASE SHIFT MASK BLANK

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992,
1135 OG 23-24, Applicant hereby calls the Examiner's attention to
documents listed on the attached form, which documents may be
material to the examination of this application. A copy of each of
the references was submitted to the Patent Office or was cited by
the Examiner in the pending prior application, Serial No.
09/952,445, filed September 12, 2001, which is being relied upon
for an earlier filing date under 35 U.S.C. 120 (37 C.F.R.
§1.98(d)).

No inference should be drawn that the attached list sets forth
a comprehensive investigation of the prior art, that any or all are
pertinent to the invention, or that any apparatus disclosed is
equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

A first office action, notice of allowance or issue fee notification has not been received in this case, so applicant does not believe that a fee is due. However, if any such fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,



Mark J. Murphy
Registration No.: 34,225

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CUMMINGS & MEHLER, LTD.
200 West Adams Street
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Chicago, Illinois 60606 (312) 236-8500

LIST OF PUBLICATIONS CITED BY APPLICANT	<u>Atty. Docket No.</u> 0524-0139.02	<u>Serial No.</u> Not Assigned
	<u>Applicant</u> Osamu NOZAWA et al	
	<u>Filing Date</u> Herewith	<u>Group</u>

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	5,897,977	04/27/99	Garcia et al	430	5	02/10/97
	5,955,223	09/21/99	Mitsui et al	430	5	03/14/97
	US 2002/ 0106830 A1	08/08/02	Ohmi et al	438	69	01/28/02

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	APPLICANT	English Abstract	English Trans.	FILING DATE

OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS
(Including Author, Title, Date, Pertinent Pages)

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EXAMINER:	DATE CONSIDERED:
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.